

EXPANDED DRAFT MEETING SUMMARY
THIS IS NOT AN OFFICIAL TRANSCRIPT OF TAPE RECORDED PROCEEDINGS
THE INFORMATION CONTAINED HEREIN HAS NOT BEEN REVIEWED OR APPROVED BY THE NCPB

NASHUA CITY PLANNING BOARD
October 8, 2020

The regularly scheduled meeting of the Nashua City Planning Board was held on October 8, 2020 at 7:00 PM via Zoom virtual meeting.

Members Present: Scott LeClair, Chair
 Adam Varley, Vice Chair
 Mike Pederson, Mayor's Rep.
 Ed Weber, Secretary
 Ald. Jan Schmidt
 Maggie Harper
 Bob Bollinger
 Larry Hirsch

Also Present: Linda McGhee, Deputy Planning Manager
 Christine Webber, Department Coordinator

ALL VOTES ARE TAKEN BY ROLL CALL

Approval of Minutes

September 24, 2020

MOTION by Mr. Hirsch to approve the minutes of the September 24, 2020 meeting, as written

SECONDED by Ms. Harper

MOTION CARRIED 5-0-3 (Varley, Schmidt, Bollinger abstain)

COMMUNICATIONS

Ms. McGhee went over the following items that were received after the case packets were mailed:

- Email from Street Construction Engineer Joe Mendola, updated comments re: Case #1 & #6
- Multiple correspondence re: Case #2 & #7
- Updated Engineering comments and waiver letter re: Case #3
- Multiple correspondence re: Case #4

- Updated Engineering comments re: Case #5
- Multiple correspondence re: Case #8
- Additional information re: Discussion Item #1

COVID-19 Address

Mr. LeClair addressed the COVID-19 pandemic as follows: Due to the State of Emergency declared by Governor Sununu as a result of COVID-19 pandemic and in accordance with the Governor's Emergency Order #12, pursuant to Executive Order 2020-04, this public body is authorized to meet electronically until further notice.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized to meet electronically pursuant to the Governor's order. However, in accordance with the Emergency Order, this is to confirm that we are:

1. Access

The Board is providing public access to the meeting by telephone, with additional access possibilities by video or other electronic access means.

The Board is video conferencing utilizing Zoom for this electronic meeting. Public access to this meeting is provided via Zoom. The link to this meeting is contained in the meeting agenda, available on the city website. The meeting can be streamed through the city's website on Nashua Community Link and also on Channel 16 on Comcast.

2. Public Notice and Access

If anybody has a problem accessing the meeting via phone, please call (603)589-3115, and they will help you connect.

3. Adjourning the Meeting

In the event that the public is unable to access the meeting via the methods above, the meeting will be adjourned and rescheduled.

4. Procedures

The Chair is in control of the meeting, and to the extent practicable and advisable the Board will follow the procedures outlined in the Bylaws. The applicant will present the applicant's case, followed by questions by the Board. The Chair will then allow for a rebuttal period for persons wishing to speak in favor, or with questions or opposition, before the Board deliberates and determines an outcome.

Applicants and their representatives, and individuals required to appear before the Board are appearing remotely, and are not required to be physically present. These individuals may contact the Planning Department to arrange an alternative means of real time participation if they are unable to use Zoom. Please note that all votes taken during this meeting will be done by roll call.

Planning Board meetings will be held electronically until further notice, when it is deemed safe to conduct meetings at City Hall.

The Planning Department and Board thank you for your understanding and patience during this difficult time.

REPORT OF CHAIR, COMMITTEE & LIAISON

None

OLD BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

None

OLD BUSINESS - SUBDIVISION PLANS

None

OLD BUSINESS - SITE PLANS

None

NEW BUSINESS - CONDITIONAL/SPECIAL USE PERMITS

1. City of Nashua (Owner) - Application and acceptance of proposed Conditional Use Permit for changes to Pennichuck Middle School. Property is located at 207 Manchester Street. Sheet 54 - Lot 32. Zoned "R18" Suburban Residence. Ward 3.

NEW BUSINESS - SITE PLANS

6. City of Nashua (Owner) - Application and acceptance of proposed site plan amendment to Pennichuck Middle School to construct additions, complete various renovations and upgrade the existing school layout. Site layout changes include a realigned perimeter access road, a new curb-cut from Manchester Street for a one-way drive for bus/emergency traffic, a new bus loop and additional parking. Property is located at 207 Manchester Street. Sheet 54 - Lot 32. Zoned "R18" Suburban Residence. Ward 3.

For the purposes of discussion, Cases #1 & #6 were considered together

MOTION by Mr. Bollinger that Case #1 is complete and the Planning Board is ready to take jurisdiction

SECONDED by Ms. Harper

MOTION CARRIED 8-0

MOTION by Mr. Bollinger that Case #6 is complete and the Planning Board is ready to take jurisdiction

SECONDED by Mr. Pedersen

MOTION CARRIED 8-0

Sam Forgue, Project Engineer, Harriman

Mr. Forgue introduced himself as representative for the Nashua Joint Special School Building Committee.

Mr. Forgue briefly outlined the Conditional Use Permit request. This site has been utilized as a school for some time now, and he doesn't believe that the site changes will negatively impact neighbors.

Mr. Forgue displayed the current conditions. He described the traffic flow pattern and features onsite. For the purpose of this plan, they are not impacting anything beyond the existing fence line. The school has roughly 650 student enrolled, 2/3 of which use the buses.

Mr. Forgue presented the proposed site changes. There is a proposed increase in enrollment from 650 to 800 students. They are proposing two new classroom wings on either side of the school, a multi-learning space, a music room, and a mechanical room. They have tried to separate bus traffic from general traffic. He described the new parent drop-off and new parking location. Staff and visitors also proposed a new right turn lane off of Manchester St, to be used by bus traffic and emergency vehicles. One of the things that has come up during the design process was the desire for two means of access.

Mr. Forgue said they are also modifying some areas along Manchester St. Their traffic consultant, Vanasse and Associates, is currently within design development. They will be working closely with Division of Public Works (DPW). The school department is looking for a signalized intersection.

Mr. Forgue said this project is triggering an Alteration of Terrain permit with the New Hampshire Dept. of Environmental Services (NHDES). Each new addition will have roof drainage to a subsurface infiltration system, which will improve the environmental health of the site.

Mr. Forgue displayed an architectural elevation of the proposed addition. He briefly described the appearance of the new classrooms.

Mr. LeClair asked if any buses would be coming in from the signalized intersection.

Mr. Forgue said no. All bus traffic will be conveyed through the new right-turn lane. He indicated the traffic flow on the plan.

Mr. LeClair asked if the buses will have to cross the main entrance to leave.

Mr. Forgue said the bus loop will carry them back out to the main entrance, where they will have to merge back in to the intersection.

Mr. LeClair asked, if there is a signalized intersection there, how many buses would be able to stack in that queuing space?

Mr. Forgue said only about two.

Mr. LeClair asked how it would work if there were five buses waiting. Are they stacking back on the other side of the main entrance?

Mr. Forgue said yes, they would stack back in the bus lane.

Mr. LeClair asked if there was anything other than training that would prevent them from sitting in the middle of the intersection.

Mr. Forgue said the configuration of the intersection is subject to change. The idea is to train the bus drivers to stack back before the main entrance intersection.

Mr. LeClair said he sees it being very complicated and tied to light timing. He asked if there was no concept to get that bus route back on to Manchester St. Is there a reason why there is no dedicated bus route?

Mr. Forgue said the difficulty is the location of Manchester St. Having the bus lane come back onto the street where there is potential oncoming traffic would be difficult. It is something they could investigate further.

Jamie Ouellette, Project Engineer, Harriman

Mr. Ouellette said they have had a few discussions with the school regarding this intersection. Right now they have trouble finding assistants to direct traffic at the crosswalk. There are stop bars to keep the buses from entering the onsite intersection. They have also talked about providing signage.

Mr. LeClair said the intersection looks complicated to him. They have a high school going in right now that has a similar configuration, and it requires traffic directors. It's tough to design a building that needs people to manage traffic. It doesn't seem like a great idea to him.

Mr. Bollinger asked if there was any warrants analysis performed on the proposed traffic signal to justify a signalized intersection at this location. He also expressed concerns regarding site egress, and said it looks like they will have some major queuing issues there. Was the signal wishful thinking?

Mr. Forgue said a warrants analysis has not been performed. This is something that is wished upon by the school dept. to increase the safety of the intersection. The intersection has had a number of accidents, and with the number of kids walking they believe this would increase safety. They are working with Vanasse and Associates to further this design.

Mr. Bollinger said there is a very specific set of criteria by which a signal would be installed. It's not just because you want one, or think it would be beneficial. He would not presuppose that a signal is needed here.

Mr. Forgue said correct. City staff has had the same concerns, but this is what the school board is hoping for right now. Ultimately the analysis will have to reflect that.

Mr. Bollinger said with the traffic analysis they have been provided, it looks like it was a very generic analysis of all three schools, including the one proposed to the south. The cost of an signalized intersection would be at least six figures. He thinks it's a bit premature to presuppose an installation.

Mr. LeClair asked if this concept has been reviewed about how the bus/parent drop-off ratio might change. Are the numbers they're thinking about the right ones?

Mr. Forgue said this is something for consideration that their traffic consultants will take into account.

Mr. Weber said he noticed there are a few dumpsters, and he doesn't see any dumpster locations on the plan. He asked the engineer to point them out.

Mr. Forgue said are not relocated on the plan. They will find a place for them.

Mr. Weber said when the Board has seen schools before them over the years, most of the time there are dumpsters, clothing donation boxes, and book drops placed everywhere. He asked if they are placed onsite that they be enclosed, and would like it stipulated.

Ald. Klee, Ward 3, Joint Special School Board Committee

Ald. Klee agreed with the traffic study. She said she directed traffic at Pennichuck, and the buses are double lane queuing. It

has become very dangerous for the children to go in between the lanes of school buses. She described the current issues with onsite traffic patterns, and how they tried to solve them.

Ald. Klee said as a layperson observing Manchester Street, the traffic doesn't stop for children. She wouldn't want to see a light there on a permanent basis, but she would like to see something to protect the children and help with traffic backups. Parents park on Ferry Rd as well as on Manchester St, so it's not just children that are walking that cross the intersection. She expressed her concerns for safety.

Ald Dowd, Ward 2, Joint Special School Board Committee

Ald. Dowd said he is the Chairman of the Committee. He said Manchester St traffic has increased considerably as people are bypassing Amherst St traffic. That intersection is not safe for children. He thinks if it's a safety issue involving the school, all bets are off for the other criteria of a warrant study. He said this intersection is so important that the cost is being covered under the current bond.

Ald. Dowd said the school is adding 150 students because the Elm St School proved uneconomically feasible for turning into a middle school. They are balancing the three schools at 800 students. He said the intersection is unsafe for children. The school can't hire people to direct traffic, and it's impossible to get a policeman. This traffic light is extremely important, and he will work with Engineering Dept. to make sure it meets all criteria.

Mr. Varley asked if the applicant could address their waiver requests.

Mr. Forgue outlined their six waiver requests, as outlined in the staff report.

Mr. Varley asked if there would be a net decrease in parking onsite. Given that they are talking about 150 extra students and presumably an increase in staff, he asked if parking would be sufficient.

Mr. Forgue said he understands that the parking was adequate for what they had. They are working within a lot of different constraints onsite, so they corralled the parking to one location. He described some of the change they could make.

Mr. Weber asked if they have calculated how many cars could queue in both parent drop-off lanes until they go to one lane, and how many can queue in that area.

Mr. Forgue said he doesn't know that offhand. It is a pretty generous strip they are affording for this. Additional lanes would further reduce parking. They believe that this is satisfactory for future needs.

Mr. Weber described his experiences at other schools with four lanes of drop-off queuing.

Mr. Forgue said there appears to be other opportunities if this is a concern with stacking.

Ms. Harper said the buses have to turn left from the bus lane to enter the intersection lanes. Is there enough space for buses to turn into the left-turn lane if the right-turn lane is occupied?

Mr. Forgue said yes. They have done turning analyses and it can be accommodated.

Ms. Harper said she can see people using the parking lot as a faster drop-off route, with the kids then having to walk across the designated drop-off lanes. She thinks that would be unsafe.

Mr. Forgue said one of the other considerations is that they will place signage. They could also consider supervision if needed.

Mr. LeClair asked why it allows for two way traffic.

Mr. Forgue said it could be one way only.

Mr. LeClair said he is struggling with the intersection. It seems like it's not fully designed, and they are being requested to approved a plan that is intended to change.

Mr. Weber cited a previous example at Rivier regarding a signalized light, where they stipulated that the applicant work with Engineering Dept. after approval. That might be an option for the intersection. He is in favor of stipulating review for a signalized intersection.

Mr. Varley said typically when they stipulate something like that it's for something less significant to the plan, more of a technical issue. He thinks this is a more substantial site plan issue that could change the plan. He doesn't think it's as simple as delegating to the Engineering Dept.

Mr. Pedersen said there are two points that should not be ignored. A lot of students cross Manchester St, so a signalized intersection would have to take into account pedestrian traffic as well. Also, if there is a long queuing time, people will be tempted to take shortcuts.

Mr. LeClair said they could give the applicant more time to address the intersection.

Mr. Varley said they should take public comments first.

Mr. Hirsch asked if anyone has addressed queuing at the end of the day, when there might be a lot more cars.

Mr. Forgue said what they have provided they believe is adequate. There are further opportunities to extend the drop-off lane.

Ald. Dowd said Harriman has had many discussions with the school administration over the course of design. He emphasized they will be working with Engineering staff on the intersection, and said it isn't safe.

Ms. McGhee said they received a letter from Traffic Engineer Wayne Husband, and in summary staff would be working with the applicant. If there are substantial changes made to the site, it would need to come back before the Board.

SPEAKING IN OPPOSITION OR CONCERN

Barbara Halevi, 83 Ferry Rd, Nashua NH

Ms. Halevi said she lives on the corner of Manchester St, and the new crosswalk would come right across towards her. She asked if the NH Dept. of Transportation would have to approve a signalized intersection at this location due to its proximity to Henri Burque Hwy. She said all the comments regarding traffic flow around the school are valid. She supports a signal at this intersection, but it would have to be a sensitive traffic light to make it effective.

SPEAKING IN FAVOR

Ald. Klee, Ward 3

Ald. Klee reiterated her concerns regarding safety.

Sam Forgue, Project Engineer

Mr. Forgue said based on initial discussions with NHDOT, he doesn't believe they would have to be involved with this. He said he could follow up with them.

Mr. Forgue said timing of the signal could be coordinated with the Traffic Engineer.

Ald. Dowd, Ward 2

Ald. Dowd said it has always been their intention to work with Engineering staff on the light.

Mr. LeClair asked staff if a signal gets added, does that change the plan enough to require Board review? He doesn't want to approve a plan if adding a light will warrant enough change to bring them back here.

Ms. McGhee said it is an offsite improvement. They don't typically come back to the Board.

Mr. Varley said there seems to be a working assumption that this will become a signalized intersection. Is the design of the intersection that is on the plan going to be instituted whether there is a light or not? Would the design change with a light?

Mr. Forgue said the geometric configuration would remain. It will improve the traffic flow in the area regardless.

PUBLIC MEETING

Mr. LeClair closed the public hearing and moved into the public meeting. He is struggling to stipulate a signalized intersection if it doesn't go through. He thinks the plan is adequate and appropriate with a signalized intersection.

Mr. Bollinger said if this were any other applicant, without a complete offsite improvement plan or traffic analysis, would

they even consider a conditional approval? He has concerns that a full signal warrants analysis has not been performed. NHDOT may be interested in knowing about a signalized intersection 500-ft away from a highway and intersection they maintain. There is risk in improving a plan where none of the offsite engineering has been done, and they are potentially setting a bad precedent.

Mr. Bollinger thinks if it was any other applicant than the city, this would be an incomplete application. It is difficult to presuppose that significant engineering issues can just be worked out because they make it a condition of approval. A signal is not an insignificant undertaking.

Mr. Bollinger said he doesn't think he can support voting on this. He would support tabling this case until they receive more substantial engineering analysis from the applicant or more detailed commentary from Engineering Dept. staff.

Mr. Weber said because it is not a complete site and safety reasons, this shouldn't receive certificate of occupancy until offsite improvements are completed. If they sign off on the site before it is safe, they have done an injustice.

Ms. Harper agreed with Mr. Bollinger. The safety of the children who go to school there is very important. She can't approve this plan in full conscience without knowing if there will be a signal there.

Mr. Varley said it would be difficult to approve the plan now as it stands without knowing about that offsite improvement, unless everyone was comfortable with the plan with or without the signal. He doesn't know how feasible it would be to make a signalized intersection a condition of approval when it is an offsite improvement and not wholly within control of the applicant. It would be unusual to condition a plan in that regard. If there is no consensus, he would prefer tabling this.

Mr. Hirsch said they already have a functioning school and would be improving the flow immensely. He doesn't know if they should hold it up for the determination of an intersection.

Mr. Varley said they have two applications before them. He suggested they act on the Conditional Use permit even if the Board isn't comfortable to move forward on the site plan.

Mr. LeClair summarized their options.

Mr. Bollinger said he would be in favor of approving the Conditional Use Permit and tabling the site plan.

Mr. Weber said tabling the site plan to get some Engineering input would be a good idea. He cited previous examples in the past where this approach has approved the site.

MOTION by Mr. Varley to approve New Business - Conditional Use Permit #1. It conforms to §190-133(F) with no stipulations.

SECONDED by Mr. Weber

MOTION CARRIED 8-0

MOTION by Mr. Varley to table New Business - Site Plan #6 until the October 22, 2020 meeting to allow the applicant time to consider offsite improvements, specifically regarding the signalized intersection.

SECONDED by Mr. Pedersen

Mr. Bollinger said there is a plethora of engineering issues to be worked out. He is concerned that this isn't enough time. Do they need to discuss this case every two weeks until the applicant does their due diligence?

Mr. Varley said it needs to be tabled to a date certain.

Mr. LeClair said he doesn't think it hurts the applicant. If they can't get the information, they have the option to request additional time.

Mr. Bollinger said he would like to avoid getting the submission at 5PM the day of the meeting, with no time to review.

Mr. LeClair said in that scenario they could continue to table until they have had time to review.

MOTION CARRIED 7-1 (Hirsch opposed)

NEW BUSINESS - SUBDIVISION PLANS

2. Roscommon Investments, LLC and MAG RE Holdings-Nashua, LLC (Owners). Application and acceptance of proposed lot line adjustment. Property is located at 117 West Glenwood Street and "L" West Hobart Street. Sheet 132 - Lots 84 & 31. Zoned "RA" Urban Residence. Ward 7. **(Postponed to the from the September 24, 2020 meeting)**
7. Roscommon Investments, LLC (Owner) - Application and acceptance of proposed site plan to construct a new 22,560 sf auto body shop with parking, vehicle storage, and associated site improvements. Property is located at 117 West Hobart Street, "L" Glenwood Street, and "L" West Hobart Street. Sheet 132, Lots 84 & 38. Sheet 128, Lots 31, 32, & 84. Zoned HB-Highway Business and RA-Urban Residence. Ward 7. **(Postponed to the from the September 24, 2020 meeting)**

For the purposes of discussion, Cases #2 & #7 were considered together

Mr. LeClair asked staff if the applicant still has outstanding engineering comments.

Ms. McGhee said yes. The applicant's engineer is asking the Board to hear the case and make a decision once the engineering comments are resolved.

Paul Chisholm, Project Engineer

Mr. Chisholm said that is correct. They are looking to present and table to the next meeting.

MOTION by Mr. Weber that Case #2 is complete and the Planning Board is ready to take jurisdiction

SECONDED by Mr. Hirsch

MOTION CARRIED 8-0

MOTION by Mr. Weber that Case #7 is complete and the Planning Board is ready to take jurisdiction

SECONDED by Mr. Pedersen

MOTION CARRIED 8-0

Paul Chisholm, Project Engineer, Keach Nordstrom Asc

Mr. Chisholm introduced himself as representative for the applicant.

Mr. Chisholm displayed a colorized diagram of the subdivision plan. The future location of the auto body shop consists of a few small parcels, which will be consolidated. The lot line adjustment is currently to clean up an awkward situation between the two parcels. The purpose is to swap land and clean up access from the street. There will be an access easement to allow both property owners to access West Glenwood.

Mr. Chisholm said most of the Engineering comments were in relation to the other side of the site. The public will not have access to the auto body shop from West Glenwood; this is going to be gated off.

Mr. Chisholm displayed the site plan. After the consolidation the site will be roughly five acres. He described the surrounding uses and proposed building. Access to the site is proposed from Sexton and Upper Stetson St. Currently this is a substandard road, so this is the majority of DPW comments. They have cleared the history of the area up with Engineering. He described how Upper Stetson will be improved to city standards. They would like this request to be tabled at the end of the discussion to allow them time to work out a few last issues.

Mr. Chisholm briefly outlined stormwater management and landscaping. He explained the two waivers they are requesting, as outlined in the staff report. He displayed colorized renderings of the building architectural elevations.

Mr. LeClair referred to the subdivision plan, and asked if any of the outstanding comments are in relation to it.

Mr. Chisholm said no. Most of the comments have come on the site plan.

Mr. LeClair asked staff if there was an engineering comments date in the stipulations of approval.

Ms. McGhee said Mr. Mendola combined his comments for the site plan and lot line relocation.

Mr. Weber said they are proposing a 2,000-gal oil water separator. Will it take care of oil based paint?

Mr. Chisholm said all the painting will happen within the building. The separator is the sewer connection.

Mr. Weber asked if they have a way of containing a paint spill.

Mr. Chisholm said he's not sure about inside the building. He explained how the separator works. He said it is part of the stormwater infrastructure and will keep things from getting into the soil.

Mr. Weber asked if there would be a floor drain inside the building where paint could get in.

Mr. LeClair said that would be on the building permit side.

Mr. Bollinger said there is a cacophony of paper streets and postage stamp parcels. Have they consulted with all parties in regards to right of ownership, right of access, and do they need any formal commentary regarding ownership of the parcels?

Mr. Chisholm said they have done thorough research on parcels and surrounding area at engineering's request. He thinks they were planning on sending it to Legal Counsel for review if necessary.

Mr. LeClair asked if they are against a motion on the subdivision plan.

Mr. Chisholm said he prefers keeping them together.

SPEAKING IN OPPOSITION OR CONCERN

None

SPEAKING IN FAVOR

None

PUBLIC MEETING

Mr. LeClair closed the public hearing and moved into the public meeting.

MOTION by Mr. Bollinger to table New Business - Subdivision #2 until the October 22, 2020 meeting to allow the applicant time to address engineering comments, per the applicant's request

SECONDED by Mr. Varley

MOTION CARRIED 8-0

MOTION by Mr. Bollinger to table New Business - Site Plan #7 until the October 22, 2020 meeting to allow the applicant time to address engineering comments, per the applicant's request

SECONDED by Mr. Pedersen

MOTION CARRIED 8-0

3. MG Holdings (Owner) - Application and acceptance of proposed three lot subdivision. property is located at 1 Morningside Drive. Sheet 118 - Lot 129. Zoned "RA" Urban Residence. Ward 7. **(Postponed to the October 8, 2020 Meeting)**

Ms. Harper recused herself from this case

MOTION by Mr. Pedersen that the application is complete and the Planning Board is ready to take jurisdiction

SECONDED by Mr. Hirsch

MOTION CARRIED 7-0

Dan Higginson, Higginson Land Services, 76 Patterson Hill Rd, Henniker, NH

Mr. Higginson introduced himself as representative for the owner.

Mr. Higginson said they are looking to break off two lots from the current parcel. The reason they were previously delayed was for outstanding comments regarding grading and drainage. They have worked with the Engineering Dept. to address those, and they are looking to move forward.

Mr. LeClair asked him to address their waiver requests.

Mr. Higginson briefly explained their waiver requests, as outlined in the staff report.

Mr. LeClair asked the applicant to display the most current plan and show drainage. He asked for an explanation of the drainage concept for the left-most parcel.

Mr. Higginson said the idea is to catch all drainage onsite and direct all new sheet flow to the catch basin.

Mr. LeClair asked about the physical construction of the basin.

Mr. Higginson said it's about 2-ft deep. There's not a large volume of water to be treated.

Mr. LeClair asked for an explanation of sewer and water lines.

Mr. Higginson explained how they found the information for water. They are proposing a sewer easement, and explained their pump stations and flow.

Mr. LeClair asked if these would be private pumps, and only for the new lots.

Mr. Higginson said correct.

Mr. LeClair asked if the maintenance would be on the new owners.

Mr. Higginson said correct.

Mr. LeClair asked what side the electrical poles are on.

Mr. Higginson said across the street. To place the new electrical service underground, they would have to install a pole to bring the lines across the street, then a transformer. It's far simpler to go overhead from the existing lines.

Mr. LeClair asked if there is gas service.

Mr. Higginson said yes, and indicated its location on the plan.

Mr. LeClair asked if they submitted a drainage report.

Mr. Higginson said yes, engineering has reviewed it.

Ms. McGhee said yes, Pete Kohalmi received it.

Mr. Weber asked for further drainage details. He wants to know how the middle lot will drain.

Mr. Higginson said it will drain towards the north.

Mr. Weber said that isn't how it looks on the plan.

Mr. Higginson said the conveyance swale from the middle lot is conveyed towards the infiltration basin.

Mr. Weber asked if it will be fine going over the northern lot's driveway. Will it go down the street?

Mr. Higginson said he is not the engineer of this plan, but assumes the driveway will have a dip for the flow and then connect to the street.

Mr. Weber said it would be fine if it was agreed upon by the engineer, but he doesn't have any notes on it. He asked if they would be amenable to a construction affidavit for the site engineering before occupancy.

Mr. LeClair said they could make it a condition of approval.

Mr. Bollinger asked for a closer view of the plan. He asked if they could elaborate on the site history. Most of the abutting parcels are quarter acre lots; how did this lot come to be?

Mr. Higginson explained the subdivision and merge history of this parcel.

Mr. Bollinger referred to potential runoff from the driveways, and asked what kind of drainage is on Morningside Drive.

Mr. Higginson said it's all open. He indicated drainage flow in the street.

Mr. Pedersen asked if the two sewer pumps will be able to operate during power outages.

Mr. Higginson said they typically have a battery backup, so yes.

SPEAKING IN OPPOSITION OR CONCERN

Mary Jane Medas, 15 Morningside Dr, Nashua NH

Ms. Medas is concerned with drainage. She believes the drainage basin will overflow into her yard. The culvert pipe is in her

driveway. She is concerned that no one has come to the site while it's raining to see how the water is draining down the street. Water has backed up into her driveway and garage before. If the basin overflows, it will definitely flood into her yard.

Ms. Medas also requested the applicant discuss tree removal in order to build. The land is fragile, so any uprooting of trees will increase erosion on her property. She is concerned about trees falling on her home.

Craig Liatsis, 6 Taft St, Nashua NH

Mr. Liatsis asked why sewage is being pumped up to Taft St when most houses on Morningside Dr. send theirs down to Main St. He is concerned with drainage and runoff onto Morningside Dr., where it could freeze and cause icy conditions.

Mr. Liatsis asked how much fill would be added to the northern lot to raise the slope to a satisfactory level.

Maggie Harper, 3 Taft St, Nashua NH

Ms. Harper is concerned with the waiver request to not display features within 1,000-ft of the site, because this is going to affect the surrounding area and direct abutter. She is concerned about the private maintenance of the pumping station and infiltration basin. She thinks the size of the lots is not in keeping with the surrounding neighborhood.

Barbara Pressly, 11 Orchard Ave, Nashua NH

Ms. Pressly said this section of the city has rolling hills. She said on the other side of this narrow street there is a huge drop-off. She is concerned that any vibration could take the whole road down, in addition to abutting buildings. She asked the Board to take a look at it before they make a decision. During the wintertime, this road is dangerous, and she thinks this will place other properties at risk. She requests they declare this unbuildable.

Ms. Pressly said she is also concerned that both proposed driveways are pointing right down the hill. She believes cars could go right over the hill.

Joseph Bingham, 3 Morningside Dr, Nashua NH

Mr. Bingham said he lives across the street. He said it seems like they are trying to squeeze in lots, and the northern lot will be on the edge of a steep incline. He agreed with Ms. Pressly in regards to the slope, and asked the Board to visit the site.

SPEAKING IN FAVOR

Dan Higginson, Higginson Land Services

Mr. Higginson outlined their proposed erosion control and topography of the site. He explained how water would flow from the site, to the infiltration basin, and then to the culvert. He said he can see where water would infiltrate Ms. Medas's driveway and garage but thinks that flow is coming from the north, not the south. Any sheet flow coming from this direction would get caught by the swale and directed to the culvert.

Mr. Higginson described the location of the slope across the street in relation to the site. He said any cars coming down the driveway would be heading towards 3 Morningside Dr., where it's flat and there are homes.

Mr. LeClair asked about the elevation of the northern lot as compared to the road.

Mr. Higginson described the elevation change across the northern lot, and said there wouldn't really be any fill brought onsite. He described the grade changes, and said it is about 3-ft change across the board.

Mr. LeClair asked how he will keep drainage onsite and off the street.

Mr. Higginson said the natural course of drainage is towards the basin. Anything that drains forward towards the street will be caught by the conveyance swale and sent towards the basin.

Mr. LeClair asked if that means drainage from the central lot will end in the swale on the left. He asked if any consideration had been given towards creating infiltration on the middle lot to keep everything on each lot, versus moving across lots.

Mr. Higginson said in looking at it as a whole plan, it made more sense to keep everything from leaving the site. The swale is really for part of the driveway that isn't covered by drip edges, so it won't be a lot of water coming across the driveway.

Mr. LeClair asked if anything would be going out to the street.

Mr. Higginson said there will be a negative pitch on the driveways, so all the water will be contained onsite.

Mr. LeClair asked if there was a curb proposed on the street.

Mr. Higginson said there is no curb, and they are not proposing one.

Mr. LeClair asked about the pumping stations.

Mr. Higginson said there are two individual pumps, and two individual lines. If something went wrong with one, it wouldn't affect the other.

Mr. LeClair asked why they are sending the sewage to Taft St.

Mr. Higginson said there is no sewer line on this section of Morningside Dr.

Mr. Weber asked the soil type onsite.

Mr. Higginson indicated the prevailing soil type onsite, Canton.

Mr. Weber asked if it was a well-drained soil type.

Mr. Higginson said he doesn't know off the top of his head.

Mr. Varley asked the applicant to address the potential for overflow from the infiltration basin to the abutter at 15 Morningside Dr. How and to what extent would stormwater be retained?

Mr. Higginson said there is a proposed spillway, which has been designed adequately to handle stormwater onsite. He indicated the direction if the basin overflowed, with the low point being the culvert. The driveway is similar elevation, but is far enough away from where the water would flow that he wouldn't anticipate seeing flow from the basin. He said there is a 6-in shelf on the pavement as well.

Mr. LeClair asked why the slope of the spillway is so far up the detention basin.

Mr. Higginson said he doesn't know why it was situated there instead of closer to the road.

Mr. Weber asked if during the landscaping, the developer could change and regrade so that no water would go onto her property at all.

Mr. Higginson said the drainage report shows a net decrease in flow, so it wouldn't sheet flow onto her property. The Engineering comments speak to that.

Mr. Varley asked about potential impacts on 15 Morningside Dr. as a result of tree clearing on the property.

Mr. Higginson indicated the treeline to remain on the plan. He said he doesn't know exactly, but wouldn't expect any detriment to trees offsite. He doesn't know what else he can do to reassure the abutter that her trees won't be harmed, but it is out of their control because it is offsite.

Mr. Bollinger asked the applicant to indicate the square footages of all three parcels, and confirm that they meet minimum requirements for zoning.

Mr. Higginson described each lot, and how they meet dimensional requirements.

SPEAKING IN OPPOSITION OR CONCERN - REBUTTAL

Mary Jane Medas, 15 Morningside Dr, Nashua NH

Ms. Medas said it appears if there is any damage done to her property or any drainage issues that it doesn't matter to the developer. She said it seems like she is responsible for any damage based on that development, and that they're not taking any responsibility.

Barbara Pressly, 11 Orchard Ave, Nashua NH

Ms. Pressly asked if the Board could visit the site and take a look at the dangers of the drop-off.

[Unknown]

[Unknown] said the northern lot slopes off noticeably. He asked if the minimum square footage of a lot is in reference to the usable square footage. His lot is big, but the usable square footage is small.

Craig Liatsis, 6 Taft St, Nashua NH

Mr. Liatsis is concerned about the pumping stations. If one of them gives out, he is concerned there will be sewage all over the street and in neighbors' yards. He asked why the builder isn't required to go down to Main St like every other house on Morningside Dr.

SPEAKING IN FAVOR - REBUTTAL

Dan Higginson, Higginson Land Services

Mr. Higginson said they designed the site so there wouldn't be any damage to the neighboring site. All the improvements have been designed and engineered so there wouldn't be any impact.

Mr. Higginson said Taft St is the closest street and it's across property they own, so they can provide easements. If they had to go down to Main St, they would have to go under Morningside Dr and across private property to access a sewer main. That isn't feasible, so going into Taft St is the best alternative.

Mr. LeClair asked if a pumping station doesn't work, it will only affect one house.

Mr. Higginson said correct.

Mr. Bollinger asked if there has been confirmation that site distance requirements are satisfied for the driveways.

Mr. Higginson described the road, and said there is a clear sight all the way to the intersection. He said you can see the entire length of Morningside Dr.

Mr. Bollinger asked if any formal measurements made.

Mr. Higginson said there were no formal comments back from Engineering requesting that.

PUBLIC MEETING

Mr. LeClair closed the public hearing and moved into the public meeting. He summarized the hearing discussion. He said there are significant drainage provisions for a residential lot. He said the pumping stations are reasonable and only affect the lots using them.

Mr. Pedersen said in listening to the discussion, he wished he had driven past this location. Seeing it in person is different than on paper. He would feel much more self-assured if he had a first-hand look at this location.

Mr. Varley said it is the applicant's view that the improvements made will not result in a negative impact, and the stormwater will have a net decrease. He doesn't think the applicant was saying anything would be the abutter's responsibility, only that they feel there would be no impact. The developer would be responsible for any damage.

Mr. Varley said he is familiar with the street, and there is a drop-off. He's not sure if it's relevant to the project they are considering here, and have not received any comments from staff expressing any concern. He doesn't see it being impacted by the project here.

Mr. Weber asked for clarification on the sidewalk contribution.

Ms. McGhee said that's up to the Board to decide. They are offering to make a contribution towards the entire frontage of Morningside Dr, totaling \$13,576.50. If they include the Taft St frontage, it would be an additional \$5,695.00. However, the applicant is not offering that contribution.

Ms. McGhee provided clarification on the recommended stipulations of approval.

Mr. Weber led a discussion regarding the sidewalk contribution. The Board agreed to accept the offered contribution.

Mr. LeClair asked if any other Board members besides Mr. Pedersen would like extra time to view the site.

Mr. Hirsch said he would.

Mr. LeClair asked how that would work.

Ms. McGhee said if they all go individually on their own time, they could table this case to the next meeting. If they would like to go see it together formally, they will have to schedule a site walk and notify for it.

Mr. Pedersen said they should go individually.

Mr. LeClair asked if there would be any detriment on the applicant's timeline.

Ms. McGhee said the Board took jurisdiction tonight, so the 65 day limit starts now.

Mr. Hirsch said he drove by earlier today and saw the drop-off. He had no idea of the implications until the meeting just now. He asked if the engineer could be onsite to explain this.

Mr. LeClair said they could request the engineer be available or provide comments specifically regarding the slopes. He doesn't know if they could ask the engineer to be there without a formal site visit.

Mr. Varley said he feels somewhat reassured listening to Mr. Varley, who is familiar with the neighborhood. He asked if this is not a serious concern.

Mr. Varley said he understands the drop-off Ms. Pressly is describing. It is on the opposite side of the houses on Morningside Dr. He thinks they should make a distinction between the general drainage and slope issues onsite and the drop-off behind the houses towards Main St. They haven't received any comments from staff indicating that the slope is a concern with respect to this plan.

Mr. LeClair said they could request input from Engineering on that topic.

Mr. Pedersen said that would make the visit much more worthwhile.

MOTION by Mr. Pedersen to table New Business - Subdivision Plan #3 until the October 22, 2020 meeting to allow Planning Board members to visit the site and receive further comment from the City Engineer.

SECONDED by Mr. Hirsch

MOTION CARRIED 5-2 (Varley & Bollinger opposed)

Mr. LeClair said they are approaching 10PM, and the Board has previously discussed making a motion for how long they want to hear items on the agenda. He thinks they can take the next case, but would like feedback for the rest. He asked the Board for input.

Mr. Weber said he is ok hearing Case #4.

Mr. Varley suggested they should hear Case #4, and not hear any new cases after 10:30.

Mr. LeClair agreed.

4. Crimson Properties, LLC (Owner) - Application and acceptance of proposed four lot subdivision. Property is located at 599 West Hollis Street. Sheet E - Lot 66. Zoned "R9" Suburban Residence. Ward 5.

MOTION by Mr. Weber that the application is complete and the Planning Board is ready to take jurisdiction

SECONDED by Mr. Pedersen

MOTION CARRIED 8-0

Tom Zajac, Project Engineer, Hayner Swanson Inc, 3 Congress St, Nashua NH

Mr. Zajac introduced himself as representative for the applicant, as well as Randy Turmel and Atty. Brad Westgate.

Mr. Zajac presented their proposal. He described current onsite and surrounding conditions. He described topography, soil conditions, and utilities. There are no wetlands present onsite. Both West Hollis St and Wellesley Rd are under street moratoriums until September 2021 and July 2023 respectively.

Mr. Zajac displayed the subdivision plan. They plan to subdivide into four lots. The existing dwelling will remain on one of the lots, and the portion of the driveway closest to the intersection will be removed. The current mobile home and existing sheds will be removed as well.

Mr. Zajac said the proposed homes are roughly 1,200-sqft with 2-car garages, which is in keeping with the neighborhood. This plan is to show that the lots are capable of supporting these structures, but the developer reserves the right to modify the size, location and configuration. There is some consideration for demolishing the current home and building a new one, which would need to meet all the requirements of the zone. He described utilities, and said the goal was to minimize impact to

West Hollis St. They are trying to consolidate their curb cuts to one location on Wellesley Rd. The Engineering Dept. indicated support for this approach.

Mr. Zajac briefly outlined stormwater management. They are requesting two waivers, as outlined in the staff report. They are offering to contribute \$8,700 in lieu of constructing sidewalks. They believe the property is being developed in a responsible manner, and have worked hard to meet with the direct abutters.

Mr. LeClair asked if the existing house is razed and replaced, would they use the driveway as indicated on the site plan? They couldn't change the existing curb cut.

Mr. Zajac said correct. He would defer to staff if there were any changes, and come back to the Board if necessary.

Mr. Pedersen referred to Lot 2251, and asked if the sewer would flow to Wellesley Rd by gravity or need a pump.

Mr. Zajac said it would be gravity flow.

Mr. LeClair said they have abutter concerns regarding ledge and blasting. Is there expectation there would be some?

Mr. Zajac said that in their test pits they found mostly sandy soils and large boulders. He can't speak to the amount of ledge they will find, but he thinks it will be minimal.

Mr. LeClair said any blasting would have to be done in accordance with regulations and with proper notification. He asked the applicant to explain how it would work.

Mr. Zajac said it would be in accordance with the Fire Dept.

Mr. LeClair asked if these homes will have basements.

Randy Turmel, Crimson Properties

Mr. Turmel said yes, they will have full basements. He addressed the ledge, and said 4 of the test pits were completely sand. The only rock they found was easily moved, so he would be shocked to find any ledge.

Mr. Bollinger said the intersection is signalized. They are adding three residential driveways within 300-ft of the signalized intersection. Were there any comments from Engineering? Do they think that is safe and adequate?

Mr. Zajac said the existing lot contains two dwellings and two driveways, one within 30-ft of the intersection. They are proposing to eliminate that driveway, which will improve conditions. The two driveways proposed onto West Hollis St are far enough away to provide for a full turnaround, so cars wouldn't be backing out onto West Hollis St. They didn't receive any engineering comments regarding the driveway locations.

Ms. Harper asked details on stormwater flow for lot 2251.

Mr. Zajac indicated the drainage flow to the street drainage system. This allows them to meet the stormwater regulations for the proposal.

Mr. Weber said because of the contours on Lot 2251, would it be possible to pitch the driveway to the east so that all the water doesn't come directly onto West Hollis St.

Mr. Zajac said they went the roof drainage approach to meet the city stormwater regulations. He explained the topography and water/gas mains. A leaching catch basin would be difficult while respecting those utilities.

Mr. Weber said he isn't asking for a catch basin. He is concerned that all the drainage flows out directly onto the street.

Mr. Zajac said the whole area is sloping towards West Hollis St.

Mr. LeClair asked if West Hollis St has an edge line curb directed to a drainage system, so it wouldn't be in the road.

Mr. Zajac said correct.

Mr. Pedersen said there is currently a semicircular driveway, which makes it easier to get in and out. The new structures will have individual driveways, and he is concerned it will be more difficult for the homeowners to get out.

Mr. Zajac said along West Hollis St they have taken careful consideration that the new driveways and current will be able to turn around without backing out onto the street. He thinks the proposed condition is safe because they eliminate the driveway next to the intersection.

SPEAKING IN OPPOSITION OR CONCERN

Letters of Concern: 1 Lantern Ln, 599 West Hollis St

Paula Johnson, 15 Westborn Dr, Nashua NH

Ms. Johnson said Wellesley Rd is not a low traffic road, and it is difficult to get out. She is concerned about traffic and driveways on Wellesley Rd. She is also concerned about the amount of time it took to get information on this project. She said the traffic light doesn't change half the time, and people are constantly running a red light. She doesn't think the area can support additional houses without impacting access to the intersection.

Kristine Conmy, 1 Wellesley Rd, Nashua NH

Ms. Conmy said she is directly across two homes. She said the intersection is not a low traffic area, as other neighborhoods use it to get onto West Hollis St. When the city repaved a few years ago they added another turning lane to accommodate the traffic. She said there are times when they can't get into the turning lane of the intersection because of backed up traffic, and have to turn right do a loop to turn around. There is an elementary school bus stop as well, which is a safety concern.

Ms. Conmy asked if the Lawnwood Terrace association was notified, because she is not sure of the residents of Wellesley, Radcliffe, and Shore Dr were notified that this was going on. She knows several residents who just learned of it this afternoon, and didn't know it was occurring.

Gary Cook, 615 West Hollis St, Nashua NH

Mr. Cook said he is the western abutter. He disagrees that two driveways would be safer than one. He is concerned that Lot 2251 is going to wipe out most of the trees between him and the current residence. He doesn't think there will be any trees besides what is on his property, so he is concerned about

drainage, erosion, and privacy. All of the homes on this street have a large, wide front yard, and these will be very close to the street. The shapes of these lots are strange and elongated. He is concerned about aesthetic appeal and character of the neighborhood.

Mr. Cook address the overhead line waiver, and said if they put in this many homes in such a small area, there's going to be a lot of lines overhead. It will be an eyesore.

Lisa Callery, 1 Lantern Ln, Nashua NH

Ms. Callery said she didn't get a notification until last Tuesday. She is a direct abutter, and was not contacted. She asked what the deforestation plan is. How much will be removed? The entire property behind the house is woods, so she is concerned about privacy, drainage issues, and erosion. How much of her wooded area will be removed?

Audrey Gervais, 590 West Hollis St, Nashua NH

Ms. Gervais asked when the project is project to start, and how long it will be. She expressed concerns about West Hollis St, and described it as a highway.

SPEAKING IN FAVOR

Written letters of Support: 7 Wellesley Rd, 6 Wellesley Rd

Mr. Zajac said the footprints of the houses are generally in keeping with the neighborhood, as are the setbacks. The surrounding house lcoations are closer to the street, with larger backyards.

Mr. Zajac addressed Wellesley Rd. He said it is a lower traffic flow than West Hollis St. Wellesley Rd does see traffic from some of the neighborhoods nearby. Neither Engineering nor Traffic Dept. made any comments related to the driveways on Wellesley Rd, stacking, or back-ups at the signal.

Mr. Zajac said they followed all of the city procedures regarding plan submittals and abutter notification lists. The notifications themselves are sent out by city staff.

Mr. Zajac addressed aesthetics. He said they are consistent with the neighborhood, and 615 West Hollis St is actually closer to the road than their proposed dwellings. His driveway is closer to the street, and he has a turnaround to help him navigate onto the road.

Mr. Zajac indicated the line of tree removal on the plan, and explained in detail their plans throughout the site. He noted that the abutters have mostly cleared their trees up to the property line. They are doing their best to minimize impact and construct these lots in a responsible manner.

Mr. LeClair asked staff about notification.

Ms. McGhee explained the abutter notification process. The only condo association they had to notify was Ledgewood Hills; otherwise the direct abutters were all notified.

Mr. LeClair asked about the Lawnwood Terrace homeowners association.

Ms. McGhee said they only one they had was Ledgewood Hills. The direct abutters were all notified.

Randy Turmel, Crimson Properties

Mr. Turmel said he believes they were notified by Linda Allen at 5 Wellesley Rd. He didn't do it directly, but she discussed inviting the four new residents into the association.

Mr. Turmel said they intend to start on lot 2252 before the end of the year, then make a final decision on the existing house. If they decide to demolish the house, they will work on both at the same time. They will work on the next two lots during the summer.

Mr. LeClair asked the duration.

Mr. Turmel said usually six months.

SPEAKING IN OPPOSITION OR CONCERN

Paula Johnson, 15 Westborn Dr, Nashua NH

Ms. Johnson reiterated her concerns with any houses going on

Wellesley Rd. She explained how the turning lanes would be impacted by the new driveways. She said they are not looking at the long term ramifications. They have complained about the speed of traffic on West Hollis St for years and have been ignored.

Ms. Johnson complained about the size and design of the notification sign. She complained about the lack of notification to the neighborhood. She requested the Board table the case until better plans could be made regarding Wellesley Rd. She complained about infill development and asked if they would be cramming homes into any little hole they could find. She believes this will not fit into the character of the neighborhood and a dangerous situation.

Gary Cook, 615 West Hollis St, Nashua NH

Mr. Cook said he understands the size of the lots is the same, but they are very awkward shapes. It's going to look like these houses are right on top of each other. He agreed that West Hollis St is dangerous and it takes a long time to get out of his driveway.

PUBLIC MEETING

Mr. LeClair closed the public hearing and moved into the public meeting. He summarized the hearing discussion.

Mr. Pedersen said heading east on West Hollis St is dangerous. They previously approved a brand new subdivision on Shore Dr, and none of the residents use their own street to access West Hollis St. They drive all the way around to Wellesley Rd to use the light. He wouldn't want to be one of the residents using those two driveways.

Mr. Varley said a lot of the discussion relates to traffic concerns and orientation of driveways. It's not uncommon in infill situations for long standing concerns about existing conditions to be incorporated into the plan. In terms of scope they're not talking about materially altering what is an existing condition on West Hollis St. It's an incredibly busy road with significant traffic load, but he doesn't think adding three houses is going to have any real impact. They are adding two new driveways onto Wellesley Rd, but all of the houses on Wellesley have driveways and already face the same conditions.

He doesn't see it as a basis for objecting to the scope of this current plan as presented. The plan was reviewed by city staff, and they have not raised any concerns. He doesn't think they should put the burden of the existing condition on the applicant. He believes the impact to the surrounding area is minimal in regards to traffic and safety.

Mr. Weber asked for clarification on the sidewalk contribution.

Ms. McGhee outlined the sidewalk calculation.

Mr. Bollinger agreed with Mr. Varley, but said maybe there is a reason this parcel was undeveloped in the 60s. He could understand more if there was some other access. He said they are potentially exacerbating an already bad situation. He doesn't feel they should be squeezing housing into every scintilla of space, especially if there are traffic and access concerns.

Mr. LeClair said there are currently two residences exiting onto West Hollis St, and as proposed there will still be two. The current condition with the close driveway is very poor, significantly dangerous. He is concerned more with the existing condition than proposed.

Mr. LeClair said the buildings as proposed are definitely in keeping. He agreed with Mr. Varley on the significance of it. He is always sensitive to the last infill in an area, but the abutters have to understand that when they buy a property next to an undeveloped site, that site could be developed. He sees an attempt to maintain trees in the back, so he is generally in favor.

Mr. Pedersen agreed with Mr. Varley. There are already two driveways on West Hollis St, so it doesn't make anything greater. But they are placing houses into an already dangerous situation. The two new proposed houses on Wellesley Rd adds to the problem, but it's not nearly as intense as West Hollis St. He is reluctantly in favor.

Mr. Varley reiterated he understands the concerns regarding notification, but there are specific state statutory and city ordinance requirements that determine who gets notified. This is the case for every case that comes before the Board, and they were notified in the same manner.

MOTION by Mr. Varley to approve New Business - Subdivision #4. It conforms to §190-138(G) with the following stipulations or waivers:

1. The request for a waiver of § 190-221(C), which requires underground utilities for new subdivisions, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation.
2. The request for a waiver § 190-212(A)(1), which requires that a sidewalk be located on at least one side of the street, is granted, finding that the waiver will not be contrary to the spirit and intent of the regulation. The applicant has agreed to make a contribution in the amount of \$8,700 in lieu of sidewalk construction pursuant to §190-212(D)(2), payment to be made prior to recording the plan.
3. Prior to the chair signing the plan, all minor drafting corrections will be made.
4. Prior to recording of the plan, all conditions from the Planning Board approval letter will be added to the cover page of the final mylar and paper copies submitted to the City.
5. Stormwater documents and easements will be submitted to Planning staff for review and recorded with the plan at the applicant's expense.
6. Prior to recording the plan, all comments in an e-mail from Joe Mendola, Street Construction Engineer dated October 2, 2020 shall be addressed to the satisfaction of the Engineering Department.
7. Prior to any work and a pre-construction meeting, a financial guarantee shall be approved.

SECONDED by Mr. Weber

MOTION CARRIED 7-1 (Bollinger opposed)

Mr. LeClair asked staff what the next meeting's agenda looked like.

Ms. McGhee explained the case load for the next meeting. If they are planning on not hearing the next cases, they will need to postpone them to the next meeting.

MOTION by Mr. Varley to postpone Cases #5, #8, & #9 to the October 22, 2020 meeting

SECONDED by Mr. Weber

Mr. Sullivan recommended they ask the applicants if they are able to attend that meeting.

Mr. LeClair asked if they can't attend that date, they can go to another one.

Ms. McGhee said yes, they would go on the November 5th meeting. They can send an email.

Jim Petropulos, Hayner Swanson Inc

Mr. Petropulos asked that the postponed cases he heard first on the agenda for the 22nd and not be put behind cases that really weren't ready.

Andy Prolman, Prunier & Prolman PA

Mr. Prolman agreed with Mr. Petropulos, and asked if these cases could take priority on the agenda.

Mr. LeClair said that is reasonable.

MOTION CARRIED 8-0

5. Stellos Family Investment Properties, LLC (Owner) - Application and acceptance of proposed five lot subdivision and dedication of land. Property is located at 453 South Main Street. Sheet 112 - Lot 11. Zoned "RA" Urban Residence. Ward 7. **[POSTPONED TO THE OCTOBER 22, 2020 MEETING.]**

NEW BUSINESS - SITE PLANS

8. Granite State Credit Union (Owner) - Application and acceptance of proposed amendment to NR2186 to show a proposed 2-story, 10,000 sf credit union with drive-through facilities and associated site improvements. Property is located at 190 Broad Street. Sheet E - Lot 744. Zoned "GB" General Business. Ward 1. **[POSTPONED TO THE OCTOBER 22, 2020 MEETING.]**

9. 278 Daniel Webster Highway, LLC (Owner) - Application and acceptance of proposed site plan amendment to show the redevelopment of an existing retail building and associated site improvements. The property is located at 278 Daniel Webster Highway. Sheet A - Lot 133. Zoned "HB" Highway Business & "TOD" Transit Oriented Development. Ward 7.
[POSTPONED TO THE OCTOBER 22, 2020 MEETING.]

OTHER BUSINESS

1. Review of tentative agenda to determine proposals of regional impact.

Mr. Weber said he believes the previous case at 32 Groton Rd should have included reaching out to Dunstable, Massachusetts.

Mr. Varley said he doesn't think regional impact applies across state lines.

Ms. McGhee said no. It doesn't rise to the threshold because they're not accessing the property or creating roads. The abutters were sent notices.

Ms. Webber said they usually send out notices to abutting towns when the property is on the border.

Ms. McGhee said they frequently get notifications from Pepperell MA.

MOTION by Mr. Weber that there are no items of regional impact

SECONDED by Mr. Varley

MOTION CARRIED 8-0

2. Adoption of the "2021" Meeting and Deadlines Dates" for the Nashua City Planning Board.

Mr. LeClair asked that they table this until the next meeting to give extra time to review.

DISCUSSION ITEMS

Meritt Parkway: Postponed to the October 22, 2020. Mr. Bollinger said the presenter should be ready to speak to "innovative" land

controls as stated in their materials. Mr. LeClair asked for clarification from city staff.

Packets: Mr. Bollinger thanked staff for their efforts to deliver case packets to all the Board members. He said they went above and beyond.

Case Preparation: Mr. Bollinger expressed concerns that some of the plans before the Board recently were not ready to be heard. There is a plethora of late submittals. When they send documentation two hours before the meeting, you're not afforded a reasonable opportunity to review. He asked for a reasonable cut-off time for new material to be presented.

MOTION to adjourn by Mr. Weber at 11:19 PM

MOTION CARRIED 8-0

APPROVED:

Mr. LeClair, Chair, Nashua Planning Board

DIGITAL RECORDING OF THIS MEETING IS AVAILABLE FOR LISTENING DURING REGULAR OFFICE HOURS OR CAN BE ACCESSED ON THE CITY'S WEBSITE. DIGITAL COPY OF AUDIO OF THE MEETING MAY BE MADE AVAILABLE UPON 48 HOURS ADVANCED NOTICE AND PAYMENT OF THE FEE.

Prepared by: Kate Poirier

Taped Meeting